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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,554	11/15/2001	Paulinus C. A. J. Haarman	216134US2	7354

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ALEXANDRIA, VA 22314

EXAMINER

LIU, I JUNG

ART UNIT	PAPER NUMBER
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3691

DATE MAILED: 10/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/987,554

Applicant(s)

HAARMAN ET AL.

Examiner

Marissa Liu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6 is/are rejected.
- 7) ☒ Claim(s) 4-5 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/18/2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 11/15/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

1. The PG Pub of Allen has provisional date of 12/14/1999 from the provisional application No. 60/170,851.
2. The PG Pub of Bennett et al. has provisional date of 06/26/00 from the provisional application No. 60/214,183 and provisional application No. 60/214,188.

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.

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(f) BACKGROUND OF THE INVENTION.

(1) Field of the Invention.

(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

(g) BRIEF SUMMARY OF THE INVENTION.

(h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(i) DETAILED DESCRIPTION OF THE INVENTION.

(j) CLAIM OR CLAIMS (commencing on a separate sheet).

(k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

(l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim objections

1. Claim 4 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 3. See MPEP § 608.01(n). Accordingly, the claim 4 is not been further treated on the merits.

2. Claim 5 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 4. See MPEP § 608.01(n). Accordingly, the claim 5 is not been further treated on the merits.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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2. Claims 1, 2, 3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. In claim 1, following the recitations:

“the basis” line 12,

“the available” line 13,

“the approval” line 13-14,

“the lender” line 16,

“the aforesaid visit” line 20,

“the identification” line 22,

“the verification” line 27, lack proper antecedent basis.

4. In claim 2, following the recitations:

“the purpose” line 30,

“the identification” line 32, lack proper antecedent basis.

5. In claim 3, “the copies” line 35, lack proper antecedent basis.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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2. Claim 1-3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allen, U.S. Pub. No. 2001/0025271 A1 (Reference B on the attached PTO-892) in view of D'Agostino, U.S. Patent No. 5,231,571 (Reference A on the attached PTO-892), and Bennett et al., U.S. Pub. No. 2001/0039516 A1 (Reference C on the attached PTO-892).

3. As per claim 1, Allen teaches method for financing an order that was placed via a data network, such as the Internet, comprising the steps of:

A) taking a buyer's order via the data network (see paragraph 0027, lines 2-4, where "enabling a Buyer 200" to purchase goods and/or services" is equivalent of "taking a buyer's order"), by or on behalf of a seller, by registering order data of a product or service, identification data of the buyer (see paragraph 0027, lines 2-4 and lines 10-17, "registers Buyer and obtains, among other things, credit/debit card information from Buyer" is equivalent of "registering service, identification data of the buyer"),

C) checking the buyer's creditworthiness on the basis of the available data by a lender in connection with the approval or rejection (see abstract, lines 8-17 and paragraph 0027, lines 35-37, where "credit is insufficient, he or she is notified of that fact and the transaction is denied" is equivalent of "checking the buyer's creditworthiness in connection with rejection of the financing request").

F) verifying at least part of the identification data and assessment data against relevant documents provided by the buyer, and (see paragraph 0029, lines 25-36, where "Seller contracts the Confidential Transaction Provider to verify the authenticity of the CTN" is equivalent of "verifying at least part of the identification data and assessment data").

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G) delivering the order to the buyer by the seller the verification carried out in step F has produced a positive result (see paragraph 0029, lines 26-37, where “determines whether the location and weight of goods matches the information received from the Buyer, the Confidential Transaction Provider 100 rechecks buyer’s credit, and if still adequate, the Confidential transaction Provider 100 contacts a Shipment Service Provider to pick up the goods from Seller 300 and deliver them to Buyer” is equivalent of “delivering the order to the buyer by the seller the verification carried out in step F has produced a positive result”).

Allen fails to teach the following parts of each step:

- A) a financing request from the buyer.
- B) obtaining assessment data in respect of the financing request,
- C) of the financing request,
- D) visiting the buyer, by or on behalf of the lender, upon approval of the financing request,
- E) having the buyer sign a financing agreement, preferably during the aforesaid visit,
- G) after the financing agreement has been signed

Bennett et al. teaches the following parts of each step:

- A) a financing request from the buyer (see paragraph 0016, lines 10-18, “enter personal information about a buyer, and upon request, to obtain financing parameter information regarding one or more financing vehicles” is equivalent of “a financing request from the buyer”).

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B) obtaining assessment data in respect of the financing request (see paragraph, lines 0016, lines 10-18, “enter personal information about a buyer, and upon request, to obtain financing parameter information regarding one or more financing vehicles” is equivalent of “obtaining assessment data in respect of the financing request”).

C) of the financing request (see abstract 2-19 and paragraph 0016, lines 10-18).

D) visiting the buyer, by or on behalf of the lender, upon approval of the financing request (see abstract, 5-19 and paragraph 0132, lines 5-11, where “buyer visits the seller in a face-to-face interaction” is equivalent of “visiting the buyer, by or on behalf of the lender”).

E) having the buyer sign a financing agreement, i.e. closing the deal, preferably during the aforesaid visit (see paragraph 0132, lines 6-11).

D’Agostino teaches the following parts of each step:

E) having the buyer sign a financing agreement, preferably during the aforesaid visit (see column 7, lines 6-19, “The customer may then sign the application/contract” is equivalent of “having the buyer sign a financing agreement”).

G) delivering the order to the buyer by the seller the verification carried out in step F has produced a positive result after the financing agreement has been signed (see column 2, lines 48-55 and column 7, lines 16-19).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the visiting the buyer upon approval of the financing request feature and having the buyer sign a financing agreement, preferably during the aforesaid

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visit feature into the method of Allen. One of ordinary skill in the art would have been motivated to incorporate the financing request feature for the purpose of providing one-to-one human interaction between a customer and a representative who is knowledgeable about the services, because customers are uncomfortable if they have no human guidance in making these selections or answering questions concerning the services (see column 3, lines 15-20, 38-42, and 53-57 of D'Agostino).

4. As per claim 2, Allen, Bennett, and D'Agostino teach claim 1 described above. Allen further teaches a method characterized in that the buyer is contacted, preferably called, for the purpose of obtaining assessment data in accordance with step B, during which contact the identification information can furthermore be completed, if necessary (see paragraph 27, lines 10-18, "register Buyer and obtains, among other things, credit/debit card information from Buyer 200 over the phone" is equivalent of "characterized in that the buyer is contacted, preferably called, for the purpose of obtaining assessment data in accordance with step B, during which contact the identification information can furthermore be completed").

5. As per claim 3, Allen, Bennett, and D'Agostino teach claim 1 and 2 described above. D'Agostino further teaches a method according to claim 1 or 2, characterized in that the copies for step F are made during the visit in accordance with step E (see column 7, lines 6-20).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the visiting the buyer upon approval of the financing request

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feature and having the buyer sign a financing agreement, preferably during the aforesaid visit feature into the method of Allen. One of ordinary skill in the art would have been motivated to incorporate the financing request feature for the purpose of providing one-to-one human interaction between a customer and a representative who is knowledgeable about the services, because customers are uncomfortable if they have no human guidance in making these selections or answering questions concerning the services (see column 3, lines 15-20, 38-42, and 53-57 of D'Agostino).

6. As per claim 6, Allen, Bennett, and D'Agostino teach claim 1 described above. Allen further teaches a system for implementing a method for financing an order that has been placed via a data network, such as the Internet, comprising means arranged for carrying out the steps A-G of the method according to claim 1 (see abstract, lines 1-3 of Allen, where "a commercial transaction system and method for enabling a buyer to purchase goods over a communication network, such as internet" is equivalent of "a system for implementing a method for financing an order that has been placed via a data network, such as the Internet").

Conclusion

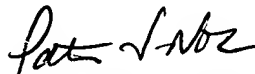
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Liu whose telephone number is 571-270-1370. The examiner can normally be reached on First Friday OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick James Nolan can be reached on 571-270-0847. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



PATRICK J. NOLAN, PH.D.
SUPERVISORY PATENT EXAMINER

16/11/06